

Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: 215-013 Date Received: 3/27/15
Application Accepted by: ET Fee: \$5,440
Comments: Assigned to Eliza Thrush, ecthrush@columbus.gov, 614-645-1341

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 2455 Billingsley Rd Zip: 43235

Is this application being annexed into the City of Columbus? Select one: ☐ YES ☒ NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 590-144971

☐ Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): CPD Requested Zoning District(s): CPD

Area Commission or Civic Association: Far Northwest Coalition

Proposed Use or reason for rezoning request (continue on separate page if necessary):
expand parking along Billingsley Road

Proposed Height District: 35 [per Columbus City Code Section 3309.14] Acreage: 8± ac

APPLICANT:

Name: Byers Realty LLC Phone Number: 614-228-1551 Ext.: 43213-

Address: 427 S. Hamilton Road City/State: Columbus, OH Zip: 43213-

Email Address: _____ Fax Number: _____

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Byers Realty LLC Phone Number: 614-228-1551 Ext.: 43213-

Address: 427 S. Hamilton Road City/State: Columbus, OH Zip: 43213-

Email Address: _____ Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: Jeffrey L. Brown Phone Number: 221-4255 Ext.: _____

Address: 37 W. Broad Street, Suite 460 City/State: Columbus, OH Zip: 43215

Email Address: jlbrown@smithandhale.com Fax Number: 221-4409

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE Byers Realty LLC By: [Signature]

PROPERTY OWNER SIGNATURE Byers Realty LLC By: [Signature]

ATTORNEY / AGENT SIGNATURE [Signature]

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

Rezoning Application

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AFFIDAVIT (See instruction sheet)

Application Number: 215-013

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Jeffrey L. Brown

of (1) MAILING ADDRESS 37 West Broad Street, Suite 460, Columbus, OH 43215

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 2455 Billingsley Road

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 3/27/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Byers Realty LLC
427 S. Hamilton Road
Columbus, OH 43213-2035

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

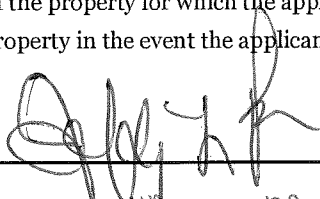
Byers Realty LLC
614-228-1551

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) Far Northwest Coalition
John Murley
3607 Waterbury Lane
Powell, OH 43235

and that the attached document (6) is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List** or the **County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

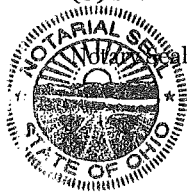
(8) SIGNATURE OF AFFIANT



Sworn to before me and signed in my presence this 28th day of March, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

9/4/15
My Commission Expires



I Here Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

This Affidavit expires six (6) months after the date of notarization.

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Please make checks payable to the Columbus City Treasurer

APPLICANT/PROPERTY OWNER

ATTORNEY

AREA COMMISSION

Byers Realty Inc.
427 S. Hamilton Road
Columbus, OH 43213

Jeffrey L. Brown
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, OH 43215

Far Northwest Coalition
John Murley
3607 Waterbury Lane
Powell, OH 43235

SURROUNDING PROPERTY OWNERS

2539 Billingsley Rd LLC
4586 Gateway Drive
Columbus, OH 43220

Bob-Boyd Company
2445 Billingsley Road
Columbus, OH 43235

Leigh Gandee
2452 Billingsley Road
Columbus, OH 43235

Edwards Investment Group LLC
3982 Powell Road, Suite 66
Powell, OH 43065

Shyam & Savita Mayadev
4396 May Apple Court
Dublin, OH 43016

Nancy Weatherman
2470 Billingsley Road
Columbus, OH 43235

Zhongji Qian
2217 Chesley Court
Dublin, OH 43017

Cathleen Wolf, Tr.
2482 Billingsley Road
Columbus, OH 43235

James L & Jeanette A Wolosyn
6932 Sawmill Village Drive
Columbus, OH 43235

Ippei Sugita
2494 Billingsley Road
Columbus, OH 43235

Loyal M Peterman Jr.
2700 Sawbury Blvd.
Columbus, OH 43235

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: CPD Commercial Planned Development
PROPERTY ADDRESS: 2455 Billingsley Road, Columbus, Ohio 43235
OWNER: Byers Realty LLC
APPLICANT: Same as owner
DATE OF TEXT: 3/25/15
APPLICATION NUMBER: Z15- 013

1. **INTRODUCTION:** The subject property consists of approximately 8 acres on the south side of Billingsley Road, east of Sawmill Road. The site is currently being utilized as an automobile dealership. To the west and to the east are automobile dealerships, and to the north are single family houses across from Billingsley Road.

The proposed adjustment to the existing zoning is to permit additional parking along Billingsley Road consistent with what City Council has approved for a similar development to the west.

2. **PERMITTED USES:** Automobile and truck sales, rentals, leasing and servicing shall be permitted. Used vehicles can only be sold in connection with new vehicle sales.

3. **DEVELOPMENT STANDARDS:** Unless otherwise indicated in the submitted site plan or in the written text, the applicable development standards shall be those contained in Chapter 3356, C-4, Commercial District, of the Columbus City Code.

A. Density, Height, Lot and/or Setback commitments.

1. A 40-foot setback for all buildings and parking areas shall be established along and adjacent to I-270. The western and eastern side yards shall be 5 feet for the buildings and parking areas.

2. A 200-foot setback for all parking areas (except for outdoor display areas) shall be established along and adjacent to Billingsley Road. In an area which is between 200 feet and 400 feet from Billingsley Road, a total of 7,000 square foot of building area may be constructed. This square footage may be in one or two one story buildings. No service or body work shall be performed in that building (except that the used vehicles may be washed and detailed within said building. No overhead doors shall face Billingsley Road).

3. There are currently three buildings on the site, two buildings along I-270 (one of which is the main dealership building) and a third building located between 200 and 400 feet from Billingsley Road. The second building along I-270 shall not exceed 10,000 sq. ft. in size, while the main dealership building may be expanded to a total maximum square footage of 50,000. No other buildings except for the one identified in Section 3 A(2) shall be constructed on the site.

B. Access, Loading, Parking and/or other Traffic related commitments.

1. **Access.** The subject site is currently serviced by one curb cut.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. **Buffering and Landscaping.** Buffering and landscaping along Billingsley Road shall be maintained as currently shown on the plan. Display areas at Billingsley Road shall be flat, not raised. In addition the developer shall install street trees along its Billingsley Road frontage (one tree for every forty feet of frontage). These trees may be evenly spaced or grouped.

D. Building design and/or Interior-Exterior treatment commitments.

N/A

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. Dumpsters. All dumpsters shall be screened with opaque wood or brick or plantings which shall be a minimum of 6 feet in height and be so designed to interrupt vision into such areas from adjacent streets and properties.
2. Lighting. All external outdoor lighting shall be cutoff fixtures, not flood or spotlights. All external outdoor lighting fixtures to be used shall be from the same or a similar manufacturer's type to insure aesthetic compatibility. Parking lot lighting standards shall not exceed 33 feet in height except for an area within four hundred feet of Billingsley Road where the maximum height standard shall be 28 feet.
3. Outdoor display areas. Outdoor display areas shall be permitted within the 200-foot setback line south of Billingsley Road as shown on the submitted plan and limited to a display of a maximum of six vehicles. Lighting in the display areas shall be ground mounted downlighting with cutoff type fixtures not exceeding 4 feet in height.
4. Emissions. There will be minimal emissions of sound, smell or dust, if any.

F. Graphics and Signage commitments.

Graphics shall be in conformance with Article 15 of the Columbus Graphics Code as it applies to the C-4, Commercial classification except that no off premise nor billboards shall be permitted. Any variance to the permitted graphics shall be submitted to the Columbus Graphics Commission. Any graphic along Billingsley Road shall be a monument style sign with a maximum height of eight feet.

G. Miscellaneous commitments:

1. Utilities. All utility lines for the development shall be installed underground.
2. Storm Water. The applicant shall comply with the current City requirements regarding storm water runoff and sanitary sewers.
3. No out side speakers shall be permitted.
4. CPD Criteria:

NATURAL ENVIRONMENT: The site is developed with an existing automobile dealership.

EXISTING LAND USES: to the east and west are existing automobile dealerships; to the south is I-270 and to the north across from Billingsley Road are single family houses.

TRANSPORTATION AND CIRCULATION: Access point is shown on the submitted site plan.

VIEW AND VISIBILITY: In the development of the subject property and in the location of the buildings and access points, consideration will be given to the visibility and safety of the motorist and pedestrian.

EMISSIONS: No adverse affects from emissions shall result from the proposed development.

BEHAVIOR PATTERNS: Existing developments in the area as well as the freeway interchange have established behavior patterns for the motorist.

The undersigned, being the owner of the subject property together with the applicant in the subject application, or their authorized representatives does hereby agree singularly and collectively for themselves, their heirs, successors and assigns, to abide by above restrictions, conditions, and commitments regarding development of the subject property and for such purpose each states that he fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provision of the Columbus City Codes.

Signature:

Date:

byers-billingsley2015.txt (nct)
3/25/15 S:Docs/s&htexts/2015

Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION #

215-013

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Jeffrey L. Brown

of (COMPLETE ADDRESS) 37 W. Broad Street, Suite 460, Columbus, OH 43215

deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Byers Realty LLC 427 S. Hamilton Road Columbus, OH 43213-2035 Number of Columbus based employees Jay DuRivage - 614-228-1551	2.
3.	4.

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 20th day of March, in the year 2015

SIGNATURE OF NOTARY PUBLIC

My Commission Expires



Notary Seal Here
Natalie C. Timmons
Notary Public, State of Ohio
My Commission Expires 09-04-2015

This Project Disclosure expires six (6) months after the date of notarization.

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2455 BILLINGSLEY ROAD (43235), being 8.0± acres located on the south side of Billingsley Road, 500± feet west of Dunsworth Drive, and being more particularly described as follows:

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Franklin, City of Columbus:

Being Lot Number Nine (9) in Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being all of a 6.259 acre tract of land conveyed to Zimmerman Investment Limited Partnership by deed of record in Official Record 5954, Page H08, Recorder's Office, Franklin County, Ohio, and being a portion of a 4.772 acre tract of land conveyed to Zimmerman Investment Limited Partnership by deed of record in Official Record 5954, Page H03, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a railroad spike set in the centerline of Billingsley Road, at the northwest corner of said 6.259 acre tract and at the northeast corner of a 5 acre tract of land conveyed as Parcel No. 2 to University Lodge #631, Free and Accepted Masons, by deeds of records in Deed Book 3168, Page 460, and Deed Book 3566, Page 659, Recorder's Office, Franklin County, Ohio, said railroad spike being S 87 degree 26' 52" E a distance of 2.94 feet from a railroad spike found at the intersection of the centerline of Billingsley Road with the center line of Shirlington Drive (50 feet wide), as shown upon the recorded plat of Summerwood Section No. 4 Part One (Dedication of Sawbury Boulevard, Shirlington Drive and Billingsley Road and Easements), of record in Plat Book 60, Page 48, Recorder's Office, Franklin County, Ohio;

thence S 87 degree 26' 52" E along the centerline of Billingsley Road and along the north line of said 6.259 acre tract a distance of 282.00 feet to a railroad spike found at the northeast corner of said 6.259 acre tract, at the northwest corner of said 4.772 acre tract and at an angle point in the centerline of Billingsley Road;

thence S 87 degree 36' 37" E along the centerline of Billingsley Road and along a portion of the north line of said 4.772 acre tract a distance of 67.85 feet to a railroad spike set;

thence S 0 degree 15' 19" E crossing said 4.772 acre tract a distance of 935.63 feet to a ¾-inch I.D. iron pipe set in the north limited access right-of-way line of Interstate Route 270 and in the south line of said 4.772 acre tract (passing a ¾-inch I.D. iron pipe set in the south right-of-way line of Billingsley Road at 20.02 feet), as said north limited access right-of-way line of Interstate Route 270 is shown upon Sheet 16 of 23 of Ohio Department of Transportation right-of-way plans for FRA-270-10.33 N;

thence S 84 degree 16' 45" W along the north limited access right-of-way line of Interstate Route 270, along a portion of the south line of said 4.772 acre tract and along a south line of said 6.259 acre tract a distance of 282.44 feet to a ¾-inch I.D. iron pipe set at a corner of said 6.259 acre tract and at the most easterly corner of a 2.100 acre tract of land conveyed as Parcel II to Storage Equities/PS Partners III-Mid-Ohio by deed of record in Official Record 5763, Page J06, Recorder's Office, Franklin County, Ohio (passing a point at the southwest corner of said 4.772 acre tract and at the southeast corner of said 6.259 acre tract at 94.35 feet);

thence N 87 degree 20' 40" W along a south line of said 6.259 acre tract and along a portion of the north line of said 2.100 acre tract a distance of 95.26 feet to a ¾-inch I.D. iron pipe found at the southwest corner of said 6.259 acre tract and at the southeast corner of said 5 acre tract;

thence N 1 degree 19' 23" E along the west line of said 6.259 acre tract and along the east line of said 5 acre tract a distance of 975.01 feet to the place of beginning (passing a ¾-inch I.D. iron pipe found not on the south right-of-way line of Billingsley Road at 954.41 feet);

Containing 8.000 acres of land more or less and being subject to all legal highways, easements and restriction of record.

Also known as Franklin County parcel numbers 010-005326 and 010-015079

To Rezone From: CPD, Commercial Planned Development District



City of Columbus Zoning Plat

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 590144971

Zoning Number: 2455

Street Name: BILLINGSLEY RD

Lot Number: N/A

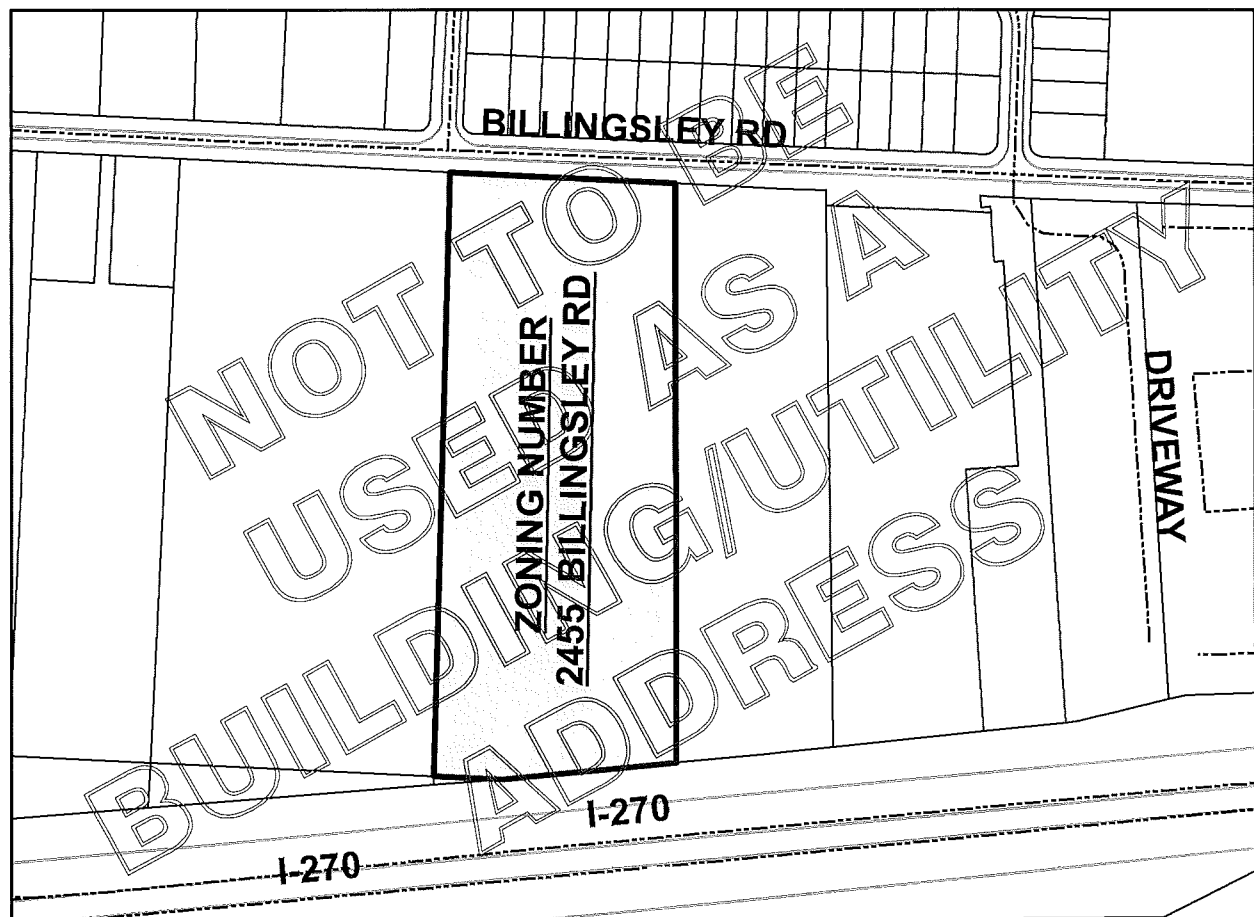
Subdivision: N/A

Requested By: SMITH AND HALE (DAVID HODGE)

Issued By:

Richard Wharisen

Date: 1/17/2012



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

SCALE: 1 inch = 300 feet

GIS FILE NUMBER: 5206

2455 BILLINGSLY RD.

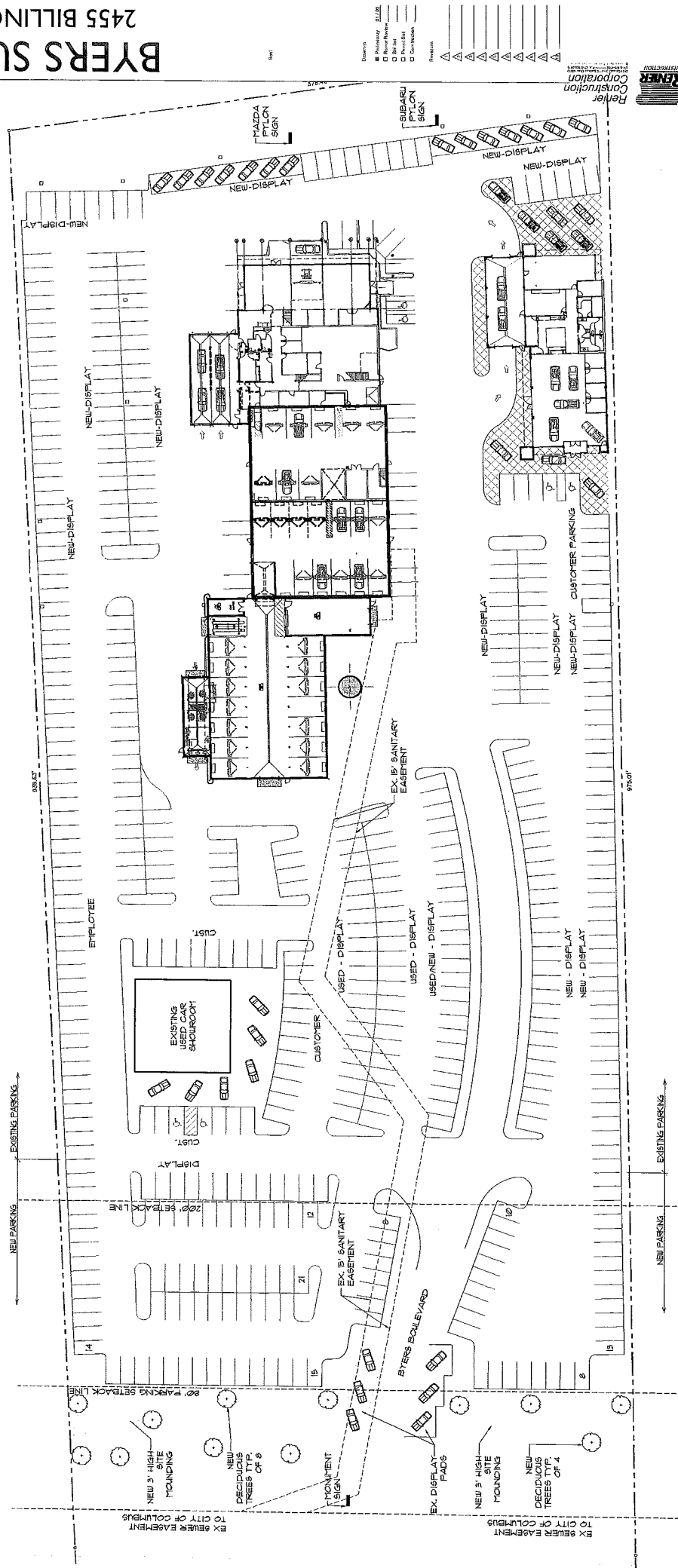
PROJECT NUMBER
A10-057
SHEET TITLE
SITE PLAN

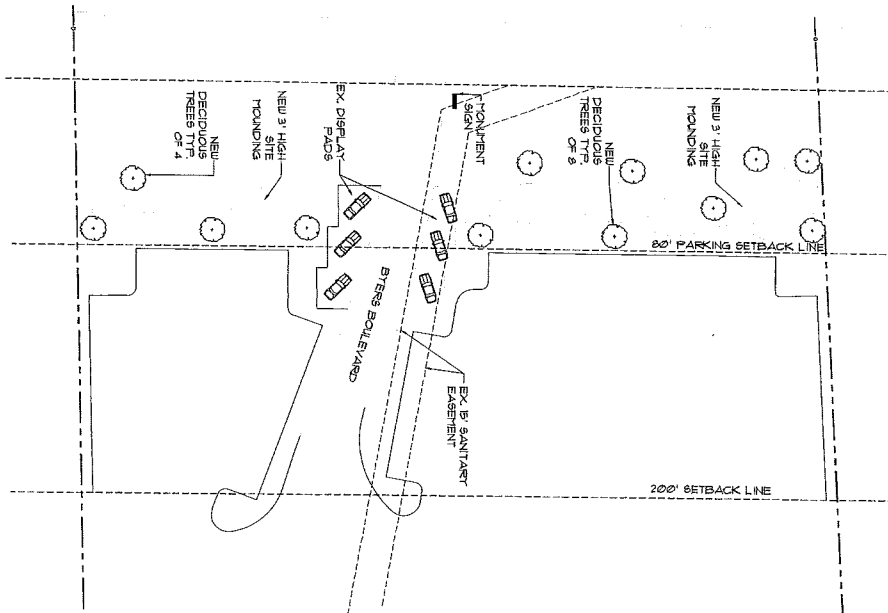
SITE PLAN
SCALE: 1" = 10' 0"

① SITE PLAN
SCALE 1" = 10'-0"

PARKING:

NEW PARKING EAST	NEW PARKING WEST	EXISTING DISPLAY
10	31	35





1 SITE PLAN
SCALE 1" = 30'

215-013

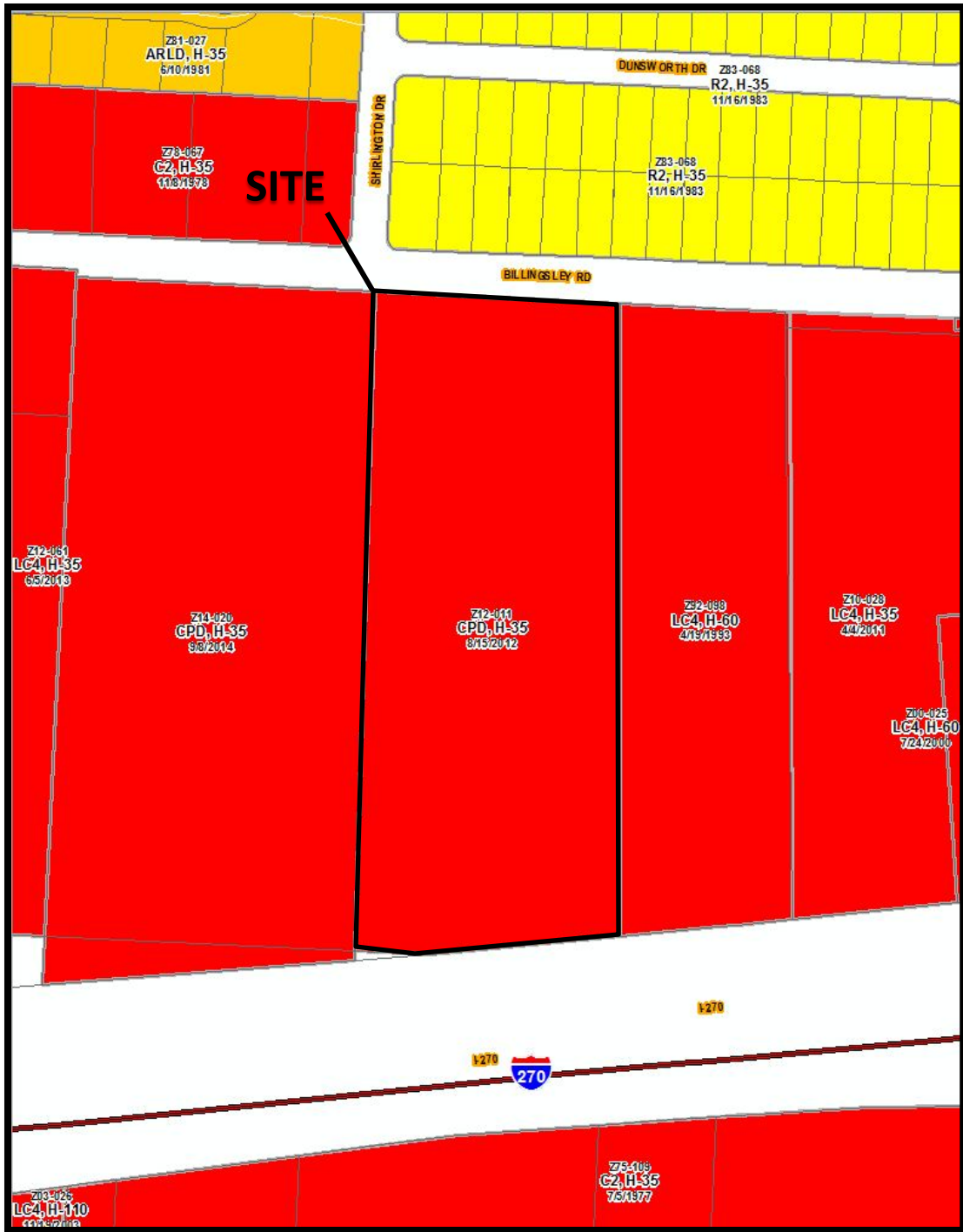
STRUCTURAL ALLIANCE
10000 10TH AVE. | SUITE 100 | BIRMINGHAM, AL 35202
TEL: 205-998-1000 | FAX: 205-998-1001
WWW.SA-AL.COM

Project Number: A10-057
Date: 12/1/10
SITE PLAN

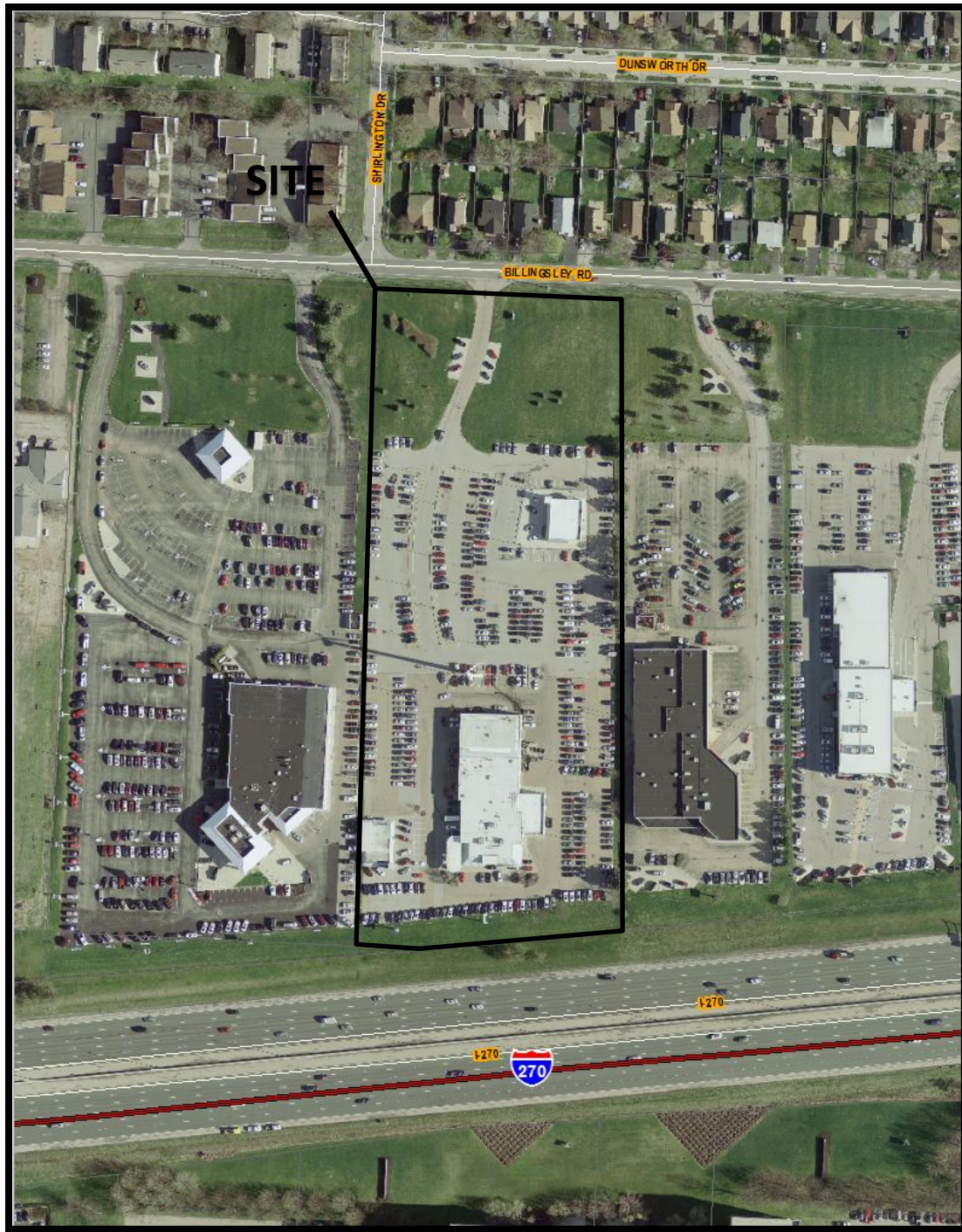
Rehner
Construction Corporation
1000 10TH AVE. | SUITE 100 | BIRMINGHAM, AL 35202
TEL: 205-998-1000 | FAX: 205-998-1001
WWW.REHNER.COM

- Exhibit
- 1. Preliminary S.D.B.
- 2. Final S.D.B.
- 3. Final S.D.B.
- 4. Final S.D.B.
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- 100. Final S.D.B.

BYERS SUBARU
2455 BILLINGSLEY RD.



Z15-013
2455 Billingsley Road
Approximately 8.0 acres
CPD to CPD



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Approximately 8.0 acres
CPD to CPD